

C² 16. An isolated nucleic acid comprising a nucleic acid that specifically hybridizes under stringent conditions to a nucleic acid consisting of the cDNA sequence comprising SEQ ID NO:15, and that encodes a transcription factor.

C³ 71. A transfected cell comprising a heterologous nucleic acid of claim 1.

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C⁴ 79. A kit for the detection of a ESX gene or polypeptide, said kit comprising a container containing a molecule selected from the group consisting of a nucleic acid that specifically hybridizes under stringent conditions to a nucleic acid of claim 1, an ESX polypeptide or subsequence thereof, and an anti-ESX antibody.

{ Please add new claims 84-89 as follows: }

84. (New) The kit of claim 79, wherein said nucleic acid is labeled with a detectable label.

85. (New) The kit of claim 84, wherein said detectable label is selected from the group consisting of a radiolabel, an enzyme, a colorimetric label, a magnetic bead, a fluorescent label, and a biotin.

C⁵ 86. (New) An isolated nucleic acid comprising a nucleic acid that encodes a polypeptide consisting of the amino acid sequence of SEQ ID NO:2.

87. (New) The nucleic acid of claim 86, wherein said nucleic acid comprises a vector.

88. (New) An isolated nucleic acid comprising a nucleic acid that encodes a polypeptide consisting of the amino acid sequence of SEQ ID NO:16.

89. (New) The nucleic acid of claim 88, wherein said nucleic acid comprises a vector.

These amendments are made without prejudice and are not to be construed as abandonment of the previously claimed subject matter or agreement with the Examiner's position. In accordance with the requirements of 37 C.F.R. § 1.121, a marked up version showing the changes to the claims, is attached herewith as Appendix A. For the Examiner's convenience, a complete claim set of the currently pending claims is also submitted herewith as Appendix B.

REMARKS

Status of the Claims.

Claims 1-4, 6-13, 16-18, 21-26, 79, and 82-89 are pending with entry of this amendment, claims 5, 14, and 20 being cancelled and claims 84-89 being added herein. Claims 1, 16, 71, and 79 are